



January 9, 2023

The Honorable Ronnie Abrams
United States District Court for the Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: *In Re Petition of Marginalised Affected Property Owners*, No. 1:21-mc-00681

Dear Judge Abrams,

Pursuant to this Court's order dated October 24, 2022, the Parties respectfully file their joint status update.

The delay in resolving this matter is based upon the Parties' desire to avoid taking up this Court's time. The process agreed to by the Parties to this end, in the face of BSGR's confidentiality concerns, has required MAPO's counsel to conduct extensive and comprehensive document review in Sierra Leone and finalize their initial review before resolving any outstanding confidentiality concerns with BSGR so as to ensure that they can use these documents in Sierra Leone.

To facilitate resolution of this Petition without further litigation, BSGR initially agreed to turn over all responsive documents (subject to redactions based on privileges asserted), with the proviso that Petitioners agree to be bound provisionally by the same confidentiality undertakings as the litigants in the underlying Chapter 15 case, only for the purpose of initial review. The Petitioners agreed to review the document list under those temporary restrictions and to present a substantially narrowed list of documents they intend to use in the Sierra Leone proceedings to the Respondents. BSGR would then consider waiving any assertion of confidentiality for those documents, with the intention of eliminating - or, at least, limiting drastically - the need to litigate confidentiality before this Court.

Petitioners sent their list to Respondents in October; BSGR has begun its review, which it expects to complete within the next month. This review has involved consulting with BSGR staff across multiple continents. The Parties have no reason to expect any unresolvable conflicts between the Petitioners and BSGR with respect to the confidential treatment of documents; rather the Parties have every hope that they will come to an agreement on all the documents on Petitioners' list. If that occurs, the Parties will be able to voluntarily dismiss the Petition.

Accordingly, the Parties respectfully request that the Court leave this case open to allow BSGR to

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finalize its review and ensure the resolution of any outstanding issues as to confidentiality, should there be any.

Respectfully submitted,

/s/ Marco B. Simons

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